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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John L. White)
Serial No.: 10/716,918) Attorneys' Ref. P214470
Filing Date: 11/18/2003) Art Unit: 3671
Title: Automatically Adjustable Caisson Clamp) Examiner: Tara L. Mayo

AMENDMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed July 2, 2004. It is believed that no fee is due at this time to maintain the application in full force and effect. However, if any such fee or charge is due, please charge this fee to Deposit Account No. 502099.

Please amend the application as described herein.

REMARKS

This Amendment is filed in response to the Office Action mailed on July 2, 2004, in connection with this case. In that Office Action, the Examiner rejected claim 1 based on statutory double patenting under 35 USC § 101; the Examiner also rejected claim 2 under the judicially created doctrine of obviousness-type double patenting.

In response, the Applicant has amended claim 1 to obviate the statutory double patenting rejection. The Applicant has also taken this opportunity to present new claims 3-9, which further define claims 1 and 2 as amended hereby. By this amendment, the Applicant has also rewritten the subject matter of claim 2 as originally presented as new independent claim 10. The Applicant respectfully traverses the obviousness-type double patenting rejection of the subject matter claim 2 as originally submitted (now claim 10). Newly presented claims 11-17 further define the subject matter of claim 2 as originally submitted (now claim 10).

The amendments to claim 1 change the language thereof to emphasize that the first and second clamp systems are supported by the structural member and that the clamp